ROUTINE ACCESS
TO ADMINISTRATIVE & OPERATIONAL RECORDS WITHOUT A FOIPOP APPLICATION

1. POLICY STATEMENT

This "Routine Access" policy for the Public Prosecution Service is designed to provide persons with an opportunity to obtain certain categories of records without the need for a *Freedom of Information and Protection of Privacy Act* (FOIPOP) Application. It shall be administered in accordance with the following principles:

- **Personal Privacy**

Records containing the personal information of third parties as defined in the *FOIPOP Act* will not be disclosed by the Public Prosecution Service outside the *FOIPOP Act*, unless the personal information has been severed.

- **Timeliness**

The Public Prosecution Service will respond to any "Routine Access" request in a reasonable and timely fashion.

- **Cost Recovery**

Fees for the reproduction and provision of records may be charged where authorized by policies, regulations, or statutes.

- **Transparency**

This policy will be made available to the public.

- **Reasonableness**

This policy will apply only to reasonable requests.

2. DEFINITIONS

Routine Access is the routine or automatic release, in full or in part, of certain types of administrative or operational records as a matter of course in response to a request without the need for a formal application for records under the *FOIPOP Act*.

Active Dissemination is the periodic and proactive release of information or records in the absence of a request using mechanisms such as the Internet and libraries.

FOIPOP Access is the release of a record in response to a formal FOIPOP application made under the *Freedom of Information and Protection of Privacy Act.*

A Record "includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records". (Section 3(1) (k) *FOIPOP Act*)

3. POLICY OBJECTIVES

The objective in implementing this policy is to make certain records routinely accessible without additional administrative time being required to fulfill "Routine Access" requests . It is also to provide a greater certainty of access for those requesting information and to reflect the spirit of openness and accountability of the FOIPOP Legislation.

4. APPLICATION

This policy applies to all staff and to all records designated under this policy in accordance with the attached Appendix A.

This Routine Access policy applies only to records created after October 23, 2003.

This policy shall apply to requests for reasonable quantities of records and shall not apply to a request for more than 50 pages of records in a particular category and/or time period. Repetitive requests by an individual for significant volumes of records or the separation of a request into several small requests totalling a large volume, shall not be subject to the policy. It is important to ensure that the application of the Routine Access policy of the Service not unduly interfere with the day-to-day operations of the Service.

Requests made under Routine Access do not apply to information subject to exemptions under the *Act*.

Personal information may be severed with the same criteria and in the same manner as requests made under the *FOIPOP Act*.

• POLICY DIRECTIVES

Staff will be advised of the existence of the policy, once approved by the Public Prosecution Service Management Committee. A memorandum advising of the existence of the policy and the procedure to be followed if a request is received from the public or media under the policy for records subject to the Routine Access policy will be disseminated.

The requests may be handled by the person designated as having the responsibility of responding to Routine Access requests.

A tracking system will be designed to keep track of the records provided through Routine Access.

- **POLICY GUIDELINES**

Once a request for "Routine Access" has been received by a designated person that person shall review the request and determine if the records are within the schedule of those designated. If the policy does not apply to the request, a response to the requester shall be provided promptly and shall indicate what other avenues may be available to obtain the information, for example a FOIPOP Application. If the policy applies to the request, the records shall be provided to the requester within a reasonable period of time, but no later than 30 days from receipt of the request.

- **ACCOUNTABILITY**

The Director of Public Prosecutions shall be accountable for the implementation of this policy.

- **COMPLIANCE**

The FOIPOP Administrator shall be responsible for ensuring compliance with this policy.

9. EVALUATION

The "Routine Access" Program established under this policy shall be evaluated on an annual basis by the FOIPOP Administrator.

10. REFERENCES

Requests made under the Routine Access policy will be subject to the following:

- Section 27 of the *FOIPOP Act,* which sets the parameters for dealing with personal information.
- *Public Prosecutions Act,* which sets out the parameters of the mandate of the Service.
- *Fatality Investigations Act,* which sets the parameters for the release of autopsy reports.

11. INQUIRIES

Inquiries made pursuant to this policy should made in writing and addressed to FOIPOP Administrator, Public Prosecution Service, 1505 Barrington Street, Suite 1225, Maritime Centre, Halifax, Nova Scotia, B3J 3K5 or by telephone at 424-4032.

Appendix A

Records Routinely Accessible

General Requests

- the Public Prosecution Service will provide readily available statistics upon verification that the information does not have personal information
- general information on the structure and mandate of the Service
- Occupational Health and Safety Routine Inspection Reports
- Final Audits completed by the Nova Scotia Government Corporate Internal Audit Unit at Department of Finance, subject to Sections 4, 7,14, 15 and 16 and 20 of the *FOIPOP Act*

Human Resources:

General:

- organizational charts with position titles
- generic information of benefits and hours of work
- job descriptions, pay scale, classification of positions (unionized, non-unionized)
- personal service contracts of individuals not appointed pursuant to the Civil Service Act, excluding personal information and service or product trade secrets

Selection and Hiring process:

- number of applicants for position
- number of persons interviewed
- name of successful candidate, once offer of employment has been accepted

Finance and Administration

Expense/Travel claims:

- a summary of travel expenses for individuals for a three month period within the current fiscal year and for a maximum of three individuals in one department at any one time, subject to Sections 4, 7,14,15 ,16 and 20 of the *FOIPOP Act*

Other expenses:

- cost of renovations for specific offices carried out within the previous six months, subject to Sections 4, 7,14,15 and 16 of the *FOIPOP Act*
- contracts for construction and/or renovations of Public Prosecution Service facilities place), subject to Sections 4, 7,14,15 and 16 of the *FOIPOP Act*
- cost of special or specific events (ie, conferences, workshops, training within three months of event having taken place), subject to Sections 4, 7,14,15 and 16 of the *FOIPOP Act*
- cost of sending a delegation out of the province or out of the country), subject to Sections 4, 7,14,15 and 16 of the *FOIPOP Act*
- overtime expenditures (current year-to-date) subject to Sections 4, 7,14, 15 and 16 of the *FOIPOP Act*
- contracts for goods and services, subject to Sections 4, 7,14, 15 and 16 and 20 of the *FOIPOP Act*

Note: Section 4 of the *FOIPOP Act provides that the Act does not apply to records of prosecutions for which all proceedings have not been completed.* Section 7 of the *FOIPOP Act provides that where the record contains information which would otherwise be exempt under Section 15 if the record were in the custody or control of the public body, that confirmation or denial of the existence of the record is refused.* Section 14 of the *FOIPOP Act provides* for refusal to release a record which contains advice. Section 15 of the *FOIPOP Act provides for refusal to release a record of a law enforcement nature. Section 16 of the FOIPOP Act provides for refusal to release a record if it is subject to solicitor/client privilege.*